

IC 35-33.5

**ARTICLE 33.5. INTERCEPTION OF TELEPHONIC
OR TELEGRAPHIC COMMUNICATIONS**

IC 35-33.5-1

Chapter 1. Applicability and Definitions

IC 35-33.5-1-1

Inapplicable to ordinary course of business

Sec. 1. This article does not apply to the ordinary course of business pertaining to the operation of a telephone or telegraph corporation and the use of the services and facilities furnished by that corporation in accordance with the corporation's tariffs.

As added by P.L.161-1990, SEC.3.

IC 35-33.5-1-2

Applicability of definitions

Sec. 2. The definitions in this chapter apply throughout this article.

As added by P.L.161-1990, SEC.3.

IC 35-33.5-1-3

"Designated offense" defined

Sec. 3. "Designated offense" means the following:

- (1) A Class A, Class B, or Class C felony that is a controlled substance offense (IC 35-48-4).
- (2) Murder (IC 35-42-1-1), while committing or attempting to commit a controlled substance offense under IC 35-48-4-1 through IC 35-48-4-4.

As added by P.L.161-1990, SEC.3.

IC 35-33.5-1-4

"Extension" defined

Sec. 4. "Extension" means an extension of the duration for which a warrant remains effective under this article.

As added by P.L.161-1990, SEC.3.

IC 35-33.5-1-5

"Interception" defined

Sec. 5. "Interception" means the intentional:

- (1) recording of; or
- (2) acquisition of the contents of;

a telephonic or telegraphic communication by a person other than a sender or receiver of that communication, without the consent of the sender or receiver, by means of any instrument, device, or equipment under this article. This term includes the intentional recording of communication through the use of a computer or a FAX (facsimile transmission) machine.

As added by P.L.161-1990, SEC.3.

IC 35-33.5-1-6

"Warrant" defined

Sec. 6. "Warrant" means a warrant authorizing the interception of telephonic or telegraphic communication under this article.

As added by P.L.161-1990, SEC.3.